IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SIXTH DAY OF OCTOBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 23057 of 2005

Between:

K. Venugopal Reddy and 4 others

..... PETITIONERS

AND

The Government of Andhra Pradesh,

Rep. by its Superintendent of Police,
Ongole, Prakasam District and 6 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents 1 to 3 in not acting on the complaint made by the petitioners on 01.10.2005, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioners and the learned Government Pleader for Home.

The learned counsel for the petitioner contended that in spite of the complaint made by the petitioners, the same is not registered by the 2nd respondent and hence he prays to issue a mandamus.

On the other hand, the learned Government Pleader for Home opposed the same.

It is the statutory duty of the police to register a case under Section 154 of the Code of the Criminal Procedure if the allegations of the complaint made out a prima facie case of cognizable offence or else lodge the same. It is for the 2nd respondent to take appropriate decision on the complaint made by the petitioners.

Therefore, without entering into the merits of the case, I deem it appropriate to dispose of the writ petition, with a direction to the

2nd respondent to register a case, if the allegations in the complaint of the petitioners made out a prima facie case of cognizable offence or lodge the same by taking appropriate decision within a week..

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 26.10.2005

Dsr